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JC20 Rec'd PCT/PTO 10 JUN 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88235

Kazufumi YAZAKI, et al.

Appln. No.: National Stage Entry of PCT/JP03/015882

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: June 10, 2005

Examiner: Unknown

For: METHOD FOR SELECTING ESCHERICHIA COLI STRAIN WHICH HIGHLY EXPRESSES EXOGENOUS GENES, ESCHERICHIA COLI MUTANT STRAINS SELECTED BY THIS METHOD AND PROCESS FOR PRODUCING ENZYMES AND COMPOUNDS USING THE SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of an International Search Report in a counterpart application is submitted herewith. The USPTO should receive copies of the references cited in the International Search Report from the International Bureau. Applicant will furnish any missing references upon request.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP03/15882 dated March 30, 2004), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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23373

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Date: June 10, 2005

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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Complete if Known

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First Named Inventor

Kazufumi YAZAKI

Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket Number

Q88235

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
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		US			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		EP	866132	A2	03-18-1998	HSP Research Institute, Inc.	
		WO	03/000915	A1	01-03-2003	Showa Denko Kabushiki Kaisha	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		YAZAKI K. et al., "cDNA Cloning and Gene Expression of Phenylalanine ammonia-lyase in Lithospermum Erythrorhizon" Biosci. Biotechnol. Biochem. vol. 61, no. 12, (1997), pages 1995-2003	
		BAEDEKER M et al., "Overexpression of a designed 2.2 kb Gene of Eukaryotic Phenylalanine Ammonia-lyase in Escherichia coli", FEBS Lett., vol. 457 no. 1, (1999), pages 57-60	
		KAMACHI et al., "Shokubutsu Koso Fusei Han'noho Ni Yoru Hiten' nenkei Amino-san Gosei" Bio Industry, March 12, 2003, vol. 20, no. 3, pages 12- 20	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.